

IN THE UNITED STATES COURT FOR THE
DISTRICT OF MARYLAND
NORTHERN DIVISION
AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

FILED _____ ENTERED _____
LODGED _____ RECEIVED _____

OCT 21 2014

I, Milton Lynn, being first duly sworn, hereby depose and state as follows:

A. Background and Experience

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY _____ DEPUTY

1. I am a Special Agent with the Department of Homeland Security
Homeland Security Investigations (HSI)¹, and have been so since December 2006. Your affiant
is currently assigned to the Port Investigations Group / Contraband Smuggling Initiative, a multi-
agency squad composed of local, state, and Federal law enforcement officers that among its
investigatory focus is that of drug traffickers and smugglers operating in and/or transiting the
State of Maryland in furtherance of their criminal activity.

2. Your affiant states that he is a law enforcement officer of the United States
within the meaning of section 2510(7) of title 18, United States Code; that is an officer of the
United States who is empowered by law to conduct investigations of and to make arrests for
offenses enumerated in Title 21, United States Code, more specifically, the Federal Controlled
Substances Act (CSA). As part of my employment with HSI, I attended the Criminal Investigator
Training Program (CITP) a twelve week basic program for all Federal criminal investigators held
at the Federal Law Enforcement Training Center (FLETC) located in Glynco, Georgia.
Additionally, I also attended Immigration & Customs Enforcement Special Agent Training (ICE
SAT) an additional eleven weeks of training also held at FLETC. During both of these courses,
blocks of instruction were given on such subjects as basic investigative techniques, Federal

¹ In 2003, the legacy United States Customs Service was incorporated into the DHS as "Immigration & Customs Enforcement" (ICE). In 2010, Immigration & Customs Enforcement ("ICE") due to expanding and changing missions, ICE once more underwent a re-organization. This new agency is referred to as Homeland Security Investigations ("HSI").

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1 controlled substances laws and types of controlled substances and recognition, methods that they
2 are manufactured, transported across international borders, distributed, and sold, money
3 laundering techniques, electronic and physical surveillance techniques, and application of
4 constitutional law.

5 3. Your affiant was previously employed as a Police Officer / Police Detective /
6 Federal Task Force Officer with the Baltimore City (Maryland) Police Department and the
7 Baltimore Housing Police, since July of 1995. During my career with the police department, I
8 have been assigned to Patrol Division, District Operations Unit, Tactical Operations Unit,
9 Special Investigations, Eastern District Street Crimes Task Force, CID Drug Enforcement /
10 Major Case Narcotics, the Baltimore / Washington H.I.D.T.A. Task Force, and the Eastern
11 District Gang Investigations Unit. For approximately three and a half years, I was assigned to the
12 High Intensity Drug Trafficking Area (H.I.D.T.A.) Task Force detailed to the Federal Bureau of
13 Alcohol, Tobacco, and Firearms (A.T.F.) and was also a deputized officer of the United States
14 Department of Justice, Drug Enforcement Administration (DEA). As part of these assignments,
15 your affiant was a sworn Special Deputy United States Marshal, and conducted investigations,
16 made arrests, and served Federal search and seizure warrants and Federal arrest warrants for
17 violation of Federal firearms laws and Federal controlled substances laws. In the course of this
18 assignment, your affiant participated in numerous Federal and state narcotics investigations,
19 relating to drug trafficking, drug smuggling, money laundering, homicide and firearms
20 violations. Your affiant has written or participated in excess of three hundred Federal and state
21 search and seizure warrants where firearms, quantities of narcotics, US currency, and packaging
22 materials have been seized. In addition, your affiant in the course of my current assignment has
23 encountered substances determined to be 3,4-methylenedioxy-N-methylcathinone,
24 MDMC/"Molly".

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26 4. Your affiant has received specialized training in the investigation of large-scale
27 drug organizations. Your affiant also received instruction in surveillance techniques, use of title
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1 three intercepts (wire-taps) and electronic listening devices in accordance with all applicable
2 laws governing the operations of surveillance equipment use of informants and undercover
3 operations. I have conducted and participated in investigations where various methods used by
4 large scale drug traffickers to smuggle into or introduce controlled substances into the United
5 States and the State of Maryland, to include commercial airplanes, private planes, large
6 commercial maritime vessels and small private boats. As a result of my training and experience,
7 and interactions with other drug investigators, I have become knowledgeable with the
8 distribution and trafficking methods employed by drug traffickers to smuggle, import, safeguard,
9 store, transport, and distribute drugs, and to collect and conceal drug-related proceeds. I have
10 also participated in investigations utilizing both Federal and state title three electronic intercepts.
11 Your affiant has led and participated in numerous large-scale drug conspiracy investigations,
12 both domestic and international in nature, and is familiar with the operations of these types of
13 criminal organizations.

14 5. The facts set forth in this affidavit are based on my own personal knowledge,
15 knowledge obtained from oral and written reports by other law enforcement officers, physical
16 surveillances, interviews, subpoenaed and public records, data base checks, phone analysis, and
17 information gained through my training and experience. Since this affidavit is for a limited
18 purpose, I have not included every fact I know about this investigation. I set forth only facts
19 necessary to establish foundation for the requested warrant. Dates and times are approximate.
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21 **B. Probable Cause**

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23 6. On October 17, 2014, your affiant received information from a confidential
24 source of information (CS) whose identity is known to your affiant, that a multi-kilogram
25 shipment of the controlled substance 3,4-methylenedioxy-N-methylcathinone or MDMC, known
26 on the street as "Molly", would be delivered to Baltimore City in the late afternoon of the 17th of
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1 October. The CS stated that a white male operating a silver Chevy Camaro was going to deliver
2 the "Molly" to a black male subject. According to the CS, the "Molly" would be contained in a
3 black backpack and that the delivery location would be in the area of the intersection of Harford
4 Road and Northern Parkway, in northeast Baltimore City. Information provided by the CS has
5 been corroborated and independently verified by your affiant.

6 At approximately 3:00 PM members of the Baltimore Police Department and HSI
7 Baltimore established surveillance in the area of Northern Parkway and Harford Road. At
8 approximately 3:10 PM law enforcement officers observed a silver Chevy Camaro, bearing MD
9 registration 6BC8840 parked in the rear parking lot of Valentino's restaurant, 6627 Harford
10 Road, Baltimore, MD 21214. A white male subject, subsequently identified as Matthew Thomas
11 WHITE, was observed sitting in the driver's seat of the vehicle. At approximately 3:43 PM, law
12 enforcement observed a black Chrysler 300, bearing MD tag 4EHB54, pull into the rear parking
13 lot of Valentino's restaurant, parked one car to the south of the Camaro. A black male subject
14 wearing a white tee shirt and tan pants exited the driver's side of the Chrysler 300 with a grey
15 colored shopping bag in his hand and walked over to the passenger side of the silver Camaro.
16 The black male subject entered the Camaro via the passenger door. The B/M subject and the
17 W/M subject engaged in conversation for approximately two minutes. Law enforcement officers
18 were able to observe packages being exchanged by the two subjects. At the conclusion of this
19 exchange, the black male subject exited the passenger side of the vehicle with large black
20 backpack in his hand. Law enforcement officers, believing a narcotics transaction had just
21 occurred between the two subjects, approached the subjects and detained them. The backpack
22 was found to contain four kilogram sized plastic bags containing an off- white substance, which
23 based on its appearance your affiant recognized as 3,4-methylenedioxy-N-methylcathinone or
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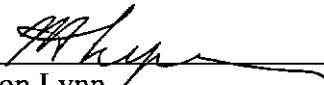
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1 MDMC/ "Molly". A search of the Camaro revealed the grey shopping bag that the B/M had
2 brought with him into the vehicle contained three large bundles of U.S. currency. A field test of
3 the substance found in the black backpack gave a positive result using a Narco-pouch 923 test
4 kit, testing positive for the presence of a controlled substance. The black male subject was
5 identified as Damonan IRBY, AKA Damon IRBY, date of birth of 2/26/1982. A review of
6 felony convictions for IRBY indicates the following: a 3/13/2003 conviction for CDS
7 Manufacture/distribute in the City of Baltimore for which he received 18 months incarceration; a
8 2/27/2004 conviction for CDS Manufacture/distribute in the City of Baltimore for which he
9 received 7 years in the DOC; a 2/11/2012 conviction for CDS Possession with the intent to
10 distribute for which he received 2 years confinement. The white male subject identified as
11 Matthew Thomas WHITE, date of birth of 10/3/1986. No felony criminal history was located
12 for WHITE.
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15 7. Both subjects were transported to area correctional facilities. The U.S. Currency
16 found in the grey shopping bag in WHITE's Camaro was determined to be \$39,920. Based on
17 your affiant's training, knowledge and experience in the field of narcotics enforcement, the
18 quantity of MDMC seized (approximately 4 kilograms) is in excess of a personal use and
19 indicates an intention to distribute.
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21 8. Therefore, based on the foregoing, it is your affiant's opinion that there is
22 probable cause to believe that Damonan IRBY and Matthew Thomas WHITE, did Possess with
23 the Intent to Distribute over 1 kilogram of MDMC of Methalone ("Molly"), in violation of Title
24 21 United States Code, Section 841 (a)(1).
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1 I, Milton Lynn, affirm under penalties of perjury that the facts and circumstances
2 recounted in the foregoing affidavit are true and accurate to the best of my knowledge.
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5 Milton Lynn
6 Special Agent
7 Homeland Security Investigations

8 Subscribed and sworn before me on October 21, 2014.
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11 Beth P. Gesner
12 United States Magistrate Judge
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